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C O N F I D E N T I A L SECTION 01 OF 02 ZAGREB 000925

SIPDIS

NOFORN

STATE FOR S/WCI, EUR/SCE, INL/AEE, EUR/ACE, AND DRL
THE HAGUE FOR JOHNSON/KAYE/WHEATON

E.O. 12958: DECL: 04/24/2013

TAGS: [KAWC](#) [KJUS](#) [PREL](#) [HR](#) [UNSC](#) [ICTY](#)

SUBJECT: WHO SHIELDED ICTY PIFWC IVICA RAJIC?

REF: ZAGREB 761

CLASSIFIED BY: POLOFF ROBERT SILBERSTEIN, REASON 1.5 (B) AND (D)

SUMMARY

11. (C/NF) CROATIAN LAW ENFORCEMENT OFFICIALS TELL US THAT THEY HAVE UNCOVERED EVIDENCE OF A SYSTEMATIC, CLANDESTINE EFFORT OF THE FORMER HDZ GOVERNMENT TO SHIELD ETHNIC CROAT PIFWCS -- INCLUDING IVICA RAJIC -- FROM JUSTICE. THEY HAVE LAUNCHED AN INVESTIGATION TO UPROOT THAT SUPPORT NETWORK AND INDICT ITS ORGANIZERS. THEY SPECULATED THAT THERE IS OVERLAP BETWEEN THE RAJIC NETWORK AND THOSE THAT AID ICTY PIFWC ANTE GOTOVINA, BUT SAID THEY HAVE NO PROOF THUS FAR.

12. (C/NF) WHILE THE INVESTIGATION MIGHT EMBARRASS THE HDZ, IT ALSO MIGHT RAISE QUESTIONS ABOUT HOW SUCH A NETWORK COULD CONTINUE TO OPERATE DURING THE RACAN GOVERNMENT'S MANDATE, PARTICULARLY AS THERE WERE INDICATIONS IN LATE 2000 OF AN ORGANIZED PIFWC PROTECTION EFFORT. THE GOC WILL REQUIRE CONTINUED EXTERNAL PRESSURE TO ENSURE THAT IT PROSECUTES THOSE WHO SEEK TO STYMIE THE WORK OF THE ICTY. END SUMMARY.

STATUS OF THE RAJIC CASE

13. (C) THE APRIL 5 ARREST IN SPLIT OF BOSNIAN CROAT ICTY FUGITIVE IVICA RAJIC BROUGHT TO A CLOSE AN EIGHT-MONTH MANHUNT CONDUCTED BY A SPECIAL UNIT OF THE CROATIAN POLICE (REFTEL). THE CROATIAN SUPREME COURT ON APRIL 23 AUTHORIZED THE ZAGREB COUNTRY COURT TO ADJUDICATE THE ICTY TRANSFER PROCESS. ALTHOUGH RAJIC'S ATTORNEY HAS FILED AN APPEAL DEMANDING THAT RAJIC'S TRIAL BE HELD IN CROATIA, OUR GOC CONTACTS TOLD US THE DEFENSE MOTION ONLY HAS NUISANCE VALUE AND THAT RAJIC WILL BE TRANSFERRED BY MID-MAY.

INVESTIGATION DETAILS

14. (C/NF) ACCORDING TO DIRECTOR GENERAL OF POLICE RANKO OSTOJIC AND CHIEF PROSECUTOR MLADEN BAJIC, THE CROATIAN POLICE IN MID-2002 CAME ACROSS INFORMATION THAT RAJIC'S WIFE WAS LIVING IN A MINISTRY OF DEFENSE-OWNED APARTMENT AND WAS WORKING AT AN MOD FACILITY IN SPLIT. A SMALL UNIT OF POLICE OFFICERS THAT OSTOJIC TRUSTED WAS FORMED TO STAKE OUT THE LOCATIONS -- AS WELL AS A CAFE THOUGHT TO BE OWNED BY RAJIC -- BUT THE TEAM HAD NOT BEEN ABLE TO IDENTIFY THE FUGITIVE.

15. (C/NF) BAJIC TOLD US THAT THE BREAK IN THE CASE CAME ABOUT TWO MONTHS AGO, WHEN A LOCAL INFORMANT IN SPLIT GAVE POLICE NEW DETAILS ABOUT RAJIC'S COVER IDENTITY, ALLOWING THE POLICE TO ARREST THE PIFWC. BAJIC SAID THAT THE CROATIAN POLICE RECEIVED NO OUTSIDE ASSISTANCE IN WHAT WAS A VERY CLOSE-HOLD CASE. ON A NUMBER OF OCCASIONS, OSTOJIC TOLD US THAT HE WOULD NOT SHARE ANY DETAILS OF THE RAJIC OPERATION WITH HIS INTELLIGENCE SERVICE COLLEAGUES BECAUSE OF FEARS THAT HDZ-SYMPATHIZERS INSIDE THOSE ORGANIZATIONS WOULD TIP HIM OFF AND DRIVE RAJIC DEEPER UNDERGROUND.

WHO PROTECTED RAJIC?

16. (C) BAJIC SAID THAT HE AND OSTOJIC ARE PUSHING A "FURIOUS" INVESTIGATION TO IDENTIFY AND INDICT THOSE INDIVIDUALS THAT SHELTERED RAJIC. BAJIC BELIEVES THAT THERE MUST BE OVERLAP BETWEEN THOSE WHO ABETTED RAJIC AND THOSE WHO FORMED THE SUPPORT NETWORK OF PIFWC ANTE GOTOVINA, ALTHOUGH THE POLICE HAVE NOT YET UNCOVERED EVIDENCE SUPPORTING HIS THESIS.

17. (C/NF) IN THE COURSE OF THE RAJIC INVESTIGATION, CROATIAN AUTHORITIES SAY THAT THEY HAVE FOUND EVIDENCE OF A SYSTEMATIC EFFORT OF THE FORMER HDZ GOVERNMENT TO SHIELD ETHNIC-CROAT PIFWCS FROM ARREST. THEY SHARED WITH US A JUNE 1998 BRIEFING PAPER PREPARED FOR PRESIDENT TUDJMAN BY THEN HEAD OF CROATIAN MILITARY INTELLIGENCE (SIS) MARKICA REBIC. INTER ALIA, THE PAPER -- WHICH WE BELIEVE IS GENUINE -- OUTLINES CROATIAN EXTERNAL INTELLIGENCE SERVICE (HIS) COVERT OPERATIONS AGAINST ICTY AND EFFORTS TO OBTAIN ICTY DOCUMENTS REGARDING ONGOING INVESTIGATIONS.

18. (C) THE DOCUMENT ALSO DESCRIBES HOW THE SIS PROTECTED

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EU VISA BAN FOR PIFWC SUPPORTERS

18. (SBU) CROATIAN MEDIA IS RIFE WITH SPECULATION THAT THE EU REQUIRED THE GOC TO SUBMIT A LIST OF PERSONS SUSPECTED OF ABETTING PIFWC ANTE GOTOVINA FOR INCLUSION IN THE EU TRAVEL BAN "ON PERSONS IN THE FORMER YUGOSLAVIA INVOLVED IN THE EVASION OF JUSTICE" (ADOPTED AT THE EU GENERAL AFFAIRS COUNCIL APRIL 16). PETER MARTIN, DEPUTY POLITICAL ADVISOR AT THE EC MISSION IN ZAGREB, SAID HE KNEW OF NO FORMAL EU REQUEST, BUT INDIVIDUAL MEMBER STATES MIGHT HAVE APPROACHED THE GOC. FOR HIS PART, BAJIC TOLD US THAT HE WELCOMED EU AND U.S. EFFORTS TO STEP UP THE PRESSURE ON THOSE WHO AIDED AND ABETTED THE FLIGHT FROM JUSTICE OF INDICTED WAR CRIMINALS.

COMMENT

9.(C) MRS. RAJIC'S MOD APARTMENT AND JOB AND MR. RAJIC'S VALID IDENTITY DOCUMENTS IN A FALSE NAME POINT TO A COMPREHENSIVE SUPPORT NETWORK THAT INVOLVES OFFICIALS IN AT LEAST TWO MINISTRIES (DEFENSE AND INTERIOR). WHILE THE REBIC DOCUMENT APPEARS TO CONFIRM THAT THE HDZ CREATED THAT SUPPORT NETWORK WHEN IT WAS IN POWER, THE FACT THAT RAJIC WAS ABLE TO REMAIN HIDDEN FOR THREE YEARS AFTER THE RACAN GOVERNMENT TOOK OFFICE -- AND LONG AFTER THE OTP RAISED RAJIC WITH THE GOC -- RAISES QUESTIONS ABOUT WHO IN THE GOC KNEW OF THE CLANDESTINE PIFWC SUPPORT, WHEN DID THEY KNOW IT AND WHAT, IF ANYTHING, DID THEY DO ABOUT IT.

10. (C) IF HISTORY IS A GUIDE, THE GOC WILL REQUIRE EXTERNAL PRESSURE TO ENSURE THAT IT PROSECUTES THOSE WHO SEEK TO STYMIE THE WORK OF THE ICTY. IN SEPTEMBER 2000, CROATIAN POLICE RAIDED A NUMBER OF SAFEHOUSES IN THE ZADAR AREA AND ARRESTED TWO BOSNIAN WAR CRIMES SUSPECTS WANTED IN THE AHMICI MASSACRE IN CENTRAL BOSNIA IN 1993. THE SUSPECTS HAD A NUMBER OF SETS OF LEGITIMATELY ISSUED CROATIAN IDENTITY DOCUMENTS IN DIFFERENT NAMES. IN JUNE 2001, A MID-RANKING CROATIAN INTERNAL INTELLIGENCE SERVICE (SZUP) OFFICIAL AND A CROATIAN ARMY OFFICER WERE ACQUITTED FOR HAVING AIDED AND ABETTED THE SUSPECTS. NO CHARGES AGAINST ANY OTHER OFFICIALS OR INDIVIDUALS WERE FILED AND THE PUBLIC CONTROVERSY EBBED. MOON

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